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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/659,544

09/09/2003

Jung Chieh Lai

3065

25859

7590

10/04/2004

WEI TE CHUNG
FOXCONN INTERNATIONAL, INC.
1650 MEMOREX DRIVE
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EXAMINER

LUEBKE, RENEE S

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,544

Applicant(s)

LAI & KUO

Examiner

Renee S. Luebke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-12 and 14 is/are rejected.
- 7) ☒ Claim(s) 7-9 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The new formal drawings were received on July 9, 2004. These drawings are acceptable and the effort taken in changing the drawings is appreciated.

2. The specification is objected to because:

- The application is replete with non-standard grammar and idiom. For example see the first sentence of paragraph 2.

- The last sentence of paragraph 15 incorrectly states that the standoff 210 is associated with the lateral wall 132. Actually, this standoff is on the engaging ear 143.

- In the last line of paragraph 16, it appears that “supportable” should be changed to -supportably-.

Appropriate corrections are required.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-5, 11, 12 and 14 remain rejected under 35 U.S.C. 102(b) as being anticipated by Tung, et al. This electrical card connector comprises a terminal module 5, a shell 1 with an ejector 41 and a shutter mechanism 2. The shutter mechanism comprises a mounting member and a door 3. Applicant states that “Tung et al fail to disclose a mounting member assembly to the shell and the ejector.” Since applicant’s previous sentence agrees that the mounting member is assembled to the shell, applicant is apparently arguing that the mounting member of Tung is not assembled to the ejector. However, since the ejector of Tung is assembled to the shell, the shell acts as the assembly means between the mounting member and the ejector. In a slightly different interpretation, the mounting member is assembled to “the shell and the ejector,” which is interpreted to be an assembled unit. Either way, the structure shown by Tung meets the claimed limitations. (Note: it

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appears that a comma should be inserted after "ejector" on the last line of claim 1.)

In regard to claim 11, it is noted that the examiner previously gave little patentable weight to the standoffs, due to insufficient identification in the application. As the present application is now clear, the limitations of claim 11 can more definitely be discussed in reference to the structure of Tung. In that regard, Tung shows a standoff on the far side of the connector in Fig. 4 (not labeled). The mounting member defines a second standoff 231. It cooperates with the first standoff in that they are both part of an operating device that is supportably positioned on a circuit board.

5. Claim 10 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Tung as previously indicated. The limitations of this dependent claim were not separately discussed by Applicant.

6. Claim 6 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Tung in view of Ho, et al. as previously indicated. The limitations of this dependent claim were not separately discussed by Applicant.

7. Claims 15 and 17 are allowed.

Claims 7-9 and 13 remain objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH

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shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. It is suggested that responses to this final action be faxed to:
(703) 872-9306

Please refrain from sending a confirmation copy, as noted in 37 CFR 1.6(d) and 1.8(b).

Alternatively, responses may be mailed to:

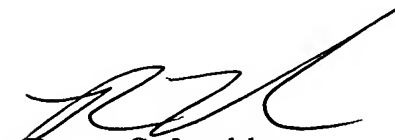
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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Renee Luebke at (571) 272-2009. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.



Renee S. Luebke
Primary Patent Examiner
September 29, 2004